

60,130-1898; 03MRA0456

REMARKS

Reconsideration of the Office Action mailed September 29, 2006 is requested. The claims stand rejected as being anticipated over Riggs *et al.* (claims 13-17) and being obvious over the McCann *et al.* patent taken with Riggs *et al.* (claims 1-12 and 18-23).

In fact, all of these rejections are improper. The claims all require that there be a path of movement between a magnet and a Hall effect sensor. An axis is defined through a set of north and south poles of the magnet. The axis and the path are non-parallel. The claims have now all been amended to require that the path of travel and the axis are also non-perpendicular.

In Riggs *et al.*, an axis defined between the north and sole poles would be perpendicular to the path of movement of the sensor relative to the magnet. Thus, Riggs *et al.* cannot meet independent claims 1, 13, 19, or 20.

New dependent claims 24-26 have been added which make clear that an output signal sensed by said Hall effect sensor as said magnet moves relative to said hall effect sensor is non-linear. Riggs *et al.* specifically discloses its signal will be linear. As such, these claims also define around Riggs *et al.*

Finally, the Examiner has declined to consider several Japanese language references. In the Office Action, the Examiner indicates that the prior petition did not provide a concise explanation of the relevance as presently understood of the reference. Applicant is only knowledgeable of what is shown in the drawings of the Japanese language references.

Applicant has searched for English abstracts of the three references, and has attached the only available abstract.

If additional fees are required for a renewal of the petition to consider these references, please consider this such a petition. A new Information Disclosure Statement listing the sent references and including the one abstract is attached. As mentioned in the Office Action, the

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Examiner has maintained copies of the foreign language references, thus those are not resubmitted.

The Commissioner is authorized to charge \$150 for 3 claims in excess of 20 to Deposit Account 50-1482 in the name of Carlson Gaskey & Olds. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

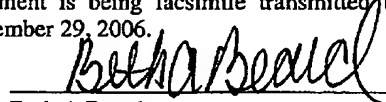


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Dated: December 29, 2006

CERTIFICATE OF FACSIMILE

I hereby certify that this amendment is being facsimile transmitted to the United States Patent and Trademark Office, (571) 273-8300, on December 29, 2006.


Beth A Beard

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